

THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.5532 OF 2006

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Dated: 21-03-2006

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BETWEEN

M/s. Murugan Saw Mills,
Rep. by its Proprietor,
G. Muragaiah, S/o. V. Abbaiah,
Bangarupalem, Bangarupalyam
Mandal, Chittoor District.

...PETITIONER

AND

The Divisional Forest Officer,
Chittoor West Division,
Chittoor, Chittoor District
and another.

...RESPONDENTS

ORDER:

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Petitioner-sawmill seeks a Writ of Mandamus to declare the action of the respondents in interfering with its peaceful activity as illegal and arbitrary.

Learned counsel for the petitioner-sawmill submits that the petitioner-sawmill was erected pursuant to the no objection letter to install Saw Mill at Bangarupalem issued by the authorized District Forest Officer in Rc.2113/84/F dated 10.05.1985 and the same was

registered as small scale industry with the Department of Industries and the license to start the factory was also obtained on 28.12.2000.

The fact remains that no sawmill licence has been issued to the petitioner-sawmill. If that be so, the petitioner is not entitled to run a sawmill.

Having regard to the facts and circumstances of the case, the petitioner is permitted to make a fresh application for grant of licence before the first respondent in the prescribed proforma fulfilling all the conditions and on such an application being filed within two weeks from the date of receipt of a copy of this order, the first respondent shall consider the same and send the proposals to the Central Empowered Committee for appropriate and necessary permission.

The writ petition is accordingly disposed of.

V. ESWARAIAH, J

March 21, 2006

Note: Furnish C.C. of the order by 23.03.2006

(B/o)

DSK